UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,236	12/17/1999	HADI PARTOVI	22379-701	9914

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WAGNER, MURABITO & HAO LLP
TWO NORTH MARKET STREET THIRD FLOOR
SAN JOSE, CA   95113

EXAMINER
POND, ROBERT M

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 09/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

		Application No.	Applicant(s)	
Office Action Summary		09/466,236	PARTOVI ET AL.	
		Examiner	Art Unit	
		Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 June 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-53* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 December 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Response to Amendment

The Applicant filed a Request for Continued Examination on 02 June 2003.

The Applicant amended Claims 1, 19, 29, 32, 36, 48, 50, and 52. All pending

claims, 1-53, were examined in this non-final Office Action.

Response to Arguments

Applicant's arguments with respect to Claims 1-53 have been considered but

are moot in view of the new ground(s) of rejection. New art cited to address the

amended claims pertains to voice commerce technology and systems that

implement electronic voice commerce by allowing users to interact with Internet

commerce services by speaking single commands, phrases, or natural language

over telephones to conduct electronic commerce. Additional prior art was

combined with Chelliah et al. (US 5,710,887) to make it very clear that Chelliah et

al. is the One-to-One online system of BroadVision and that BroadVision's

participation in Nuance's V-Commerce Alliance is for the purpose of integrating

voice-commerce into BroadVision's One-to-One system.

Specification

1.   The abstract of the disclosure is objected to because it exceeds 150 words in

length. Correction is required. See MPEP § 608.01(b).

2.   The disclosure is objected to because of the following informalities: At least

reference characters 406 (Fig. 4) and 506 (Fig. 5) are not annotated in the

specification with disclosed subject matter. Appropriate correction is required.

Claim Objections

3.   Claim 36 objected to because of the following informalities: insufficient

antecedent basis on line 11 does not render claim indefinite; however,

appropriate correction is required. This examiner understands the Applicant's

intent by claiming "the purchaser."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

4.   **Claims 1-3, 5-7, 11-21, 23-25, 32-38, 40-41, and 45-53 are rejected under**

35 USC 103(a) as being unpatentable over PR Newswire (PTO-892, Item:

UU) and Chelliah et al. (patent number 5,710,887), in view of Voice

Commerce (a collection of articles cited in PTO-892, Items: U-X and VV).

PR Newswire teaches BroadVision being issued US Patent No. 5,710,887

covering its One-to-One Application System that supports large user and content

databases, high transaction volumes, intelligent agent matching, and easy

integration with existing business systems (Item: UU, pages 1-2). US Patent No.

5,710,887 (hereafter referred to as Chelliah et al.) teach the system, method, and

means of the One-to-One system. Chelliah et al. teach facilitating electronic

commerce between a plurality of customers, suppliers, and third-party commerce

enablers (see at least abstract; Fig. 2 (10); col. 3, line 5 through col. 5, line 3).

Chelliah et al. teach a system for facilitating commercial transactions over a

computer driven network capable of providing communication between a supplier

and at least one customer site (see at least col. 2, lines 36-43), an electronic

computer architecture that can accommodate a wide variety of implementations,

and an electronic mall comprising a collection of suppliers offering goods and

services (see at least col. 2, lines 43-50; col. 6, lines 4-25). Customers initiate

Internet-based commerce sessions with an electronic storefront or a variety

storefronts via a web server, request product information, purchase requested

items, make payments, and provide shipping information for delivery (see at least

Fig. 1 (10); col. 6, lines 26-57). Chelliah et al. teach customer interfaces

comprising a video terminal, cable television set-top device, touch-sensitive kiosk

screen, touch-tone telephone, or any other device or combination of devices

capable of reproducing or otherwise displaying human intelligible audio and/or

visual information to a customer and capable of converting human input to a

discrete signal capable of being recognized by a computer (see at least col. 3, lines 5-15; col. 6, lines 31-34; col. 9, lines 53-61). Chelliah et al. teach catalog systems, product databases for viewing and comparing items, secure transaction processing, HTML, Internet protocol, customer receipt and billing information, and shipping. Chelliah et al. further teach a participant program object that contains profile data and demographic data that is used in various phases of a purchase transaction (see at least Fig. 11 (264); col. 9, line 62 through col. 10, line 30; col. 22, lines 9-63).

PR Newswire and Chelliah et al. teach all the above as noted under the 103(a) rejection but do not disclose a single command commerce model. Voice Commerce teaches Motorola, Visa International, and BroadVision joining with Nuance Communication to introduce V-Commerce. As members of the V-Commerce Alliance, these companies will build and deploy applications using a voice interface that allows users to complete self-service transactions alternatively using the Web or the telephone (Item: U, see pages 1-2). Voice Commerce teaches the following (see at least Items: U-W and VV):

- voice applications complementing web sites for customers to obtain quotes, account balances, do complete transactions for equities and mutual funds over the telephone using Nuance's natural language speech recognition (Item: U, page 2),

- uses for online shopping, for information gathering, purchasing, post sales actions (e.g. order status and support) by speaking over a telephone (Item: U, page 2),

- a unique voice print to restrict access to secure information (page 2),

- Voice In/Out- as a stand alone interface involving a dialog over the phone with a speech system, in lieu of using a touch-tone keypad or by speaking to an agent in a call center (Item: U, page 2),

- Voice In/Out or Web In/Out- accessing with the most convenient device at time of transaction (Item: U, page 2)

- Voice In/Web or Device Out- voice input and visual output, instead of clicking through multiple web pages, user simply "say their request" (Item: U, page 2) (please note: this examiner interprets at least this teaching to suggest that a traditional shopping cart model will be simplified to a single voice command model),

- application architecture comprising a voice user interface (VUI), common set of business rules, application programming interfaces, and transaction middleware which are share between speech and web applications, and databases (Item: U, page 2),

- speech objects designed to be portable so that applications built around them can be deployed on major server and interactive voice response (IVR) platforms (Item: U, page 2),

- Motorola's Voice Markup Language (VoxML), simplifying the process of providing telephone access to content available on Web sites (Item: U, page 2) through voice commands (Item: W, page 1),

- V-Commerce example using natural language (Item: V, pages 2-3),

- V-Commerce call center example enhancing existing service already offering customers the ability to retrieve stock and mutual fund quotes over the telephone by speaking the name of the company (Item: W, page 1), and

- Odeon Cinemas V-Commerce call center application (using Nuance's natural language speech recognition) where callers are simply asked to say the name of the theater or town they wish to visit (Item: VV, pages 1-2).

V-Commerce further teaches a) BroadVision and Nuance working together as V-Commerce Alliance partners to integrate the BroadVision One-to-One family of Internet applications with Nuance SpeechObjects, providing a combined solution to personalize business-to-consumer services over the telephone, and complementing BroadVision's strength in Web enabling such services (Item: X, pages 1-2), b) BroadVision adding voice command speech-recognition to its One-to-one server (Item: W, page 1), and c) extending benefits of personalized services to 800 million telephones and other connected devices. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of PR Newswire and Chelliah et al. to integrate

single command voice commerce into the One-to-One family of applications as

disclosed by Voice Commerce, in order to extend Web commerce services to a

potential of 800 million telephone users, and thereby increase sales of the On-to-

One family of applications to businesses wanting to tap this market.

5.   **Claims 4, 22, and 39 are rejected under 35 USC 103(a) as being**

unpatentable over PR Newswire (PTO-892, Item: UU), Chelliah et al. (patent

number 5,710,887), and Voice Commerce (a collection of articles cited in

PTO-892, Items: U-X and VV), as applied to Claims 2, 20, and 36, further in

view of Official Notice regarding old and well-known reverse directory

lookup services.

PR Newswire, Chelliah et al., and Voice Commerce teach all the above as

noted under the 103(a) rejection and teach a) single command voice commerce,

b) a customer contact system for communicating with customers, and c) a

participant program object that contains identifying information (see at least Fig.

2 (112); col. 9, line 30 through col. 10, line 43) but do not specifically disclose

using a telephone directory for a reverse lookup for identifying information. This

examiner takes the position that conducting a reverse directory lookup based

telephone numbers to extract customer identifying information is old and well

known in the telecommunications industry. Therefore would have been obvious

to one or ordinary skill in the art at time of the invention to modify the system and

method of PR Newswire, Chelliah et al., and Voice Commerce to include reverse

directory lookup as taught by Official Notice, in order to provide another approach to cross-referencing customer identifying information and thereby offer more convenience and service to the customer.

6. **Claims 8-10, 26-31, and 42-44 are rejected under 35 USC 103(a) as being unpatentable over PR Newswire (PTO-892, Item: UU), Chelliah et al. (patent number 5,710,887), and Voice Commerce (a collection of articles cited in PTO-892, Items: U-X, and VV), as applied to Claims 1, 19, and 36, further in view of Business Wire (PTO-892, Item: WW).**

PR Newswire, Chelliah et al., and Voice Commerce teach secure transactions, secure payment systems, and connecting to web servers with web browsers, but do not disclose one or more of HTTP, SSL and HTTPS. Business Wire teaches Internet commerce leader BroadVision using SSL and SET (Secure Electronic Transaction) security protocols. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of PR Newswire, Chelliah et al., and Voice Commerce to include industry standard security protocols at taught by Business Wire, in order to ensure secure interoperability between commerce systems.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to **Mr. Robert M. Pond** whose telephone

number is 703-605-4253. The examiner can normally be reached Monday-

Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the **Receptionist** whose telephone number is

703-308-1113.
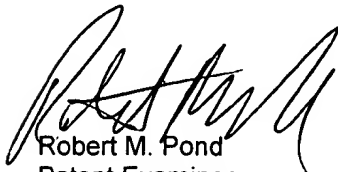
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

703-872-9306 (Official communications; including After Final

communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal

Drive, Arlington, VA, 7th floor receptionist.

Robert M. Pond
Patent Examiner
August 21, 2003